

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 4, 5, 10, 11, 16 and 17 are requested to be cancelled.

Claims 1, 3, 7, 9, 13, and 15 have been amended to incorporate the limitations of canceled claims 4, 10, and 16. Accordingly, claims 1-3, 6-9, 12-15, and 18 remain pending in the present application.

Claims 1-18 were rejected under 35 USC 103 as obvious over Perkowski. This rejection is respectfully traversed, to the extent that it applies to the claims as amended.

The claims, as amended, are directed to a method, system and program product for managing a supply chain, where many, if not most of the supply chain participants are independent entities. According to the claims, a supply chain management computer receives data relating to goods sold by the stores from a plurality of stores of a supply chain utilizing a network. For example, this data could relate to electronic catalogue accesses by the store to replace aging equipment used to produce goods, or it might be data on volume sales of goods from the stores, or it might be re-orders of goods for the store, or general queries from the store relating to problems with the goods it is selling. The supply chain management computer then allows a supply chain participant to access the data utilizing a network-based interface. The supply chain participant could be another store, or a distributor, or a supplier in the supply chain. The supply chain management computer then identifies the supply chain participant and analyzes the data being accessed by the supply chain participant. For example, the supply chain participant may be the supplier for the store, which needs to determine future production requirements. Finally, the step is provided of advertising at least one product or service from a non-supply chain participant relating at least

indirectly to the goods or services or operations provided by at least one of the participants in the supply chain in accordance with the analysis. For example, the system could identify a distributor as the supply chain participant that accessed an electronic order for light bulbs from a store, and the non-supply chain participant could be an energy consultant service that then advertises or causes the system to advertise its services to the distributor. For further information on the invention, see applicants' disclosure at page 53, for example. Thus, the claim is not directed to re-orders of goods that were sold by a store. Rather it is directed to allowing non-supply chain participants with no normal access to the supply chain to advertise to the system, while avoiding conflicts with current supply chain participant members.

In contrast, Perkowski et al. is a method and system for receiving an input from a consumer of a UPC number or a trademark, and then displaying a menu of URL's categorically arranged with specific product information relating to the product identified, such as product warranty information, product updates, product rebates, etc.

There is no disclosure in Perkowski of performing the steps of a supply chain management computer receiving data relating to goods sold by the stores from a plurality of stores of a supply chain utilizing a network; the supply chain management computer allowing a supply chain participant to access the data utilizing a network-based interface; the supply chain management computer identifying the supply chain participant and analyzing the data being accessed by the supply chain participant; and advertising at least one product or service from a non-supply chain participant required at least indirectly for the production of at least one of the goods produced by at least one of the stores to the supply chain participant in accordance with the analysis. This is because Perkowski does not relate to a supply chain management framework, or the issue of providing access to non-members of the supply chain, and moreover, starts with an identified product.

The office action states that all of these multiple missing elements in combination are an obvious design choice to one of ordinary skill in the art at the time of the invention, as these methods are well known in the art of business. It is requested that this position be substantiated with prior art references, per MPEP 2144.03 and that a suggestion in the prior art be pointed out for a motivation to combine each of these elements to realize the claimed combination. In view of the fact that multiple elements are missing from the Perkowski

reference, such proof is essential to nullify the potential that applicants' specification is being used as a blueprint for such a combination.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to

Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By



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